

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

MDL No. 3076

Case No: 1:23-md-03076-KMM

IN RE:

FTX Cryptocurrency Exchange Collapse Litigation

THIS DOCUMENT RELATES TO:

Domestic Investor Defendants

**DOMESTIC INVESTOR DEFENDANTS' RESPONSE TO
PLAINTIFFS' NOTICE OF FILING SUPPLEMENTAL AUTHORITY**

Undersigned Domestic Investor Defendants (“Defendants”) respond to Plaintiffs’ Notice of Filing Supplemental Authority (ECF No. 560), identifying *SEC v. Coinbase, Inc. et al.*, No. 23-cv-4738-KPF (S.D.N.Y. March 27, 2024). For now the third time in two weeks, Plaintiffs submit an out-of-Circuit decision that is irrelevant to Defendants’ Motion to Dismiss (ECF No. 301) (the “Motion”). The *Coinbase* decision is inconsequential for the same reasons set forth in Defendants’ previous response (ECF No. 553)—namely, Plaintiffs do not assert claims under the Securities Act, and the *Coinbase* court’s analysis of whether the different products and transactions at issue were “securities” is irrelevant to the Motion and the arguments asserted therein, *id.*

Dated: April 3, 2024

Respectfully submitted,

/s/ Paul C. Huck, Jr

LAWSON HUCK GONZALEZ PLLC

Paul C. Huck, Jr.
Florida Bar No. 968358
334 Minorca Avenue
Coral Gables, Florida 33134
Telephone: (305) 441-2299
paul@lawsonhuckgonzalez.com

**CLEARY GOTTLIEB STEEN &
HAMILTON LLP**

Jennifer Kennedy Park (admitted *pro hac vice*)
Joon Kim (admitted *pro hac vice*)
Rishi N. Zutshi (admitted *pro hac vice*)
1841 Page Mill Rd Suite 250
Palo Alto, CA 94304
Telephone: (650) 815-4130
Facsimile: (650) 815-4199
jpark@cgsh.com
jkim@cgsh.com
rzutshi@cgsh.com

*Counsel for Defendant Sequoia Capital
Operations, LLC*

/s/ Scott M. Malzahn

TEIN MALONE TRIAL LAWYERS

Michael Tein
Florida Bar No. 993522
3059 Grand Avenue
Coconut Grove, Florida 33133
Telephone: (305) 442-1101
tein@teinmalone.com

WAYMAKER LLP

Brian E. Klein
Scott M. Malzahn
515 S. Flower Street, Suite 3500
Los Angeles, California 90071
Telephone: (424) 652-7800

/s/ Amy Jane Longo

**STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON,
P.A.**

Jay B. Shapiro
Florida Bar No. 776361
150 West Flagler Street, Suite 2200
Miami, FL 33130
Telephone: (305) 789-3200
Facsimile: (305) 789-2664
jshapiro@stearnsweaver.com

ROPES & GRAY LLP

David B. Hennes (admitted *pro hac vice*)
1211 Avenue of the Americas
New York, New York 10036
Telephone: (212) 596-9000
Facsimile: (212) 596-9090
david.hennes@ropesgray.com

Amy Jane Longo (admitted *pro hac vice*)
10250 Constellation Blvd.
Los Angeles, California 90067
Telephone: (310) 975-3000
Facsimile: (310) 975-3400
amy.longo@ropesgray.com

*Counsel for Defendant Altimeter Capital
Management, LP*

/s/ Anna Terteryan

BERGER SINGERMAN LLP

Jordi Guso
Florida Bar No. 863580
Ana Kauffman
Florida Bar No. 89092
1450 Brickell Avenue, Ste 1900
Miami, FL 33131
Telephone: (305)-714-4376
jguso@bergersingerman.com
akauffmann@bergersingerman.com

KIRKLAND & ELLIS LLP

Mark McKane (admitted *pro hac vice*)
Anna Terteryan (admitted *pro hac vice*)

Facsimile: (424) 652-7850
bklein@waymakerlaw.com
smalzahn@waymakerlaw.com

*Counsel for Defendant Multicoin Capital
Management LLC*

Stephen Silva (admitted *pro hac vice*)
555 California Street
San Francisco, California 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500
mark.mckane@kirkland.com
anna.terteryan@kirkland.com
stephen.silva@kirkland.com

Counsel for Defendant Thoma Bravo, LP

/s/ T. Todd Pittenger

GRAY ROBINSON, P.A.

T. Todd Pittenger, Esq.
Florida Bar No. 768936
Kelly J.H. Garcia, Esq.
Florida Bar No. 0694851
301 E. Pine Street, Suite 1400
Orlando, FL 32802-3068
Telephone: 407-843-8880
Facsimile: 407-244-5690
todd.pittenger@gray-robinson.com
kelly.garcia@gray-robinson.com

**SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP**

Alexander C. Drylewski (admitted *pro hac vice*)
Mikal Davis-West
One Manhattan West
New York, NY 10001
Telephone: (212) 735-3000
Facsimile: (212) 735-2000
alexander.drylewski@skadden.com
mikal.davis-west@skadden.com

Mark R.S. Foster (admitted *pro hac vice*)
525 University Avenue
Palo Alto, CA 94301
Telephone: (650) 470-4500
Facsimile: (650) 470-4570
mark.foster@skadden.com

Counsel for Defendant Paradigm Operations LP

/s/ Nicholas D. Marais

AKERMAN LLP

Jacqueline M. Arango
Florida Bar No. 664162
Three Brickell City Centre
98 Southeast Seventh Street, Suite 1100
Miami, Florida 33131

/s/ Jeffrey F. Robertson

SCHULTE ROTH & ZABEL LLP

Peter H. White
Jeffrey F. Robertson
555 Thirteenth Street, NW
Suite 6W
Washington, DC 20004
Telephone: 202-729-7470
Facsimile: 202-730-4520
pete.white@srz.com
jeffrey.robertson@srz.com

*Counsel for Defendant Tiger Global
Management, LLC*

/s/ Jason C. Hegt

LATHAM & WATKINS LLP

James E. Brandt
NY Bar No. 1858935
Jason C. Hegt
NY Bar No. 4781191
1271 Avenue of the Americas

Telephone: (305) 374 5600
jacqueline.arango@akerman.com

KEKER, VAN NEST & PETERS LLP

Steven P. Ragland
Nicholas D. Marais
633 Battery Street
San Francisco, California 94111
Telephone: (415) 391-5400
sragland@keker.com
nmarais@keker.com

Counsel for Defendant Ribbit Capital, L.P.

/s/ Douglas R. Hirsch

SADIS & GOLDBERG LLP

Douglas R. Hirsch
Frank S. Restagno
551 Fifth Avenue, 21st Floor
New York, New York 10176
(212) 947-3793
dhirsch@sadis.com
frestagno@sadis.com

MELAND BUDWICK, P.A.

Eric W. Ostroff
200 South Biscayne Boulevard
Ste 3200
Miami, FL 33131
Tel: 305-358-6363
Fax: 305-358-1221
eostroff@melandbudwick.com

Counsel for Defendant SkyBridge Capital II, LLC

New York, NY 10020
Telephone: (212) 906-1200
Fax: (212) 751-4864
james.brandt@lw.com
jason.hegt@lw.com

*Counsel for Defendant K5 Global Advisor,
LLC*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 3, 2024, a true and correct copy of the foregoing has been furnished by electronic filing with the Clerk of the Court via CM/ECF, which will send notice of electronic filing to all counsel and parties of record.

/s/ T. Todd Pittenger

T. Todd Pittenger, Esq.

*Counsel for Defendant Paradigm
Operations LP*